

REMARKS/ARGUMENTS

Claims 1-10 were pending in the present application. By virtue of this response, claims 2-4 and 6-9 have been cancelled, claims 1, 5 and 10 have been amended, and new claims 11-15 have been added. Accordingly, claims 1, 5 and 10-15 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Rejections under 35 U.S.C. §112

Claims 2-4 and 8 are rejected as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response, claims 2-4 and 8 have been cancelled. Accordingly, it is believed this rejection is moot.

Rejections under 35 U.S.C. §102

Claims 5-9 are rejected as allegedly being anticipated by Goto (US 6850547)

With this communication, Applicant has canceled claims 6-9. Additionally, Applicant has amended claim 5 to recite a semiconductor laser device including at least a semiconductor layer portion and an electrode pattern piece formed on an upper surface of the semiconductor layer portion, "the electrode pattern piece having opposed two first edges extending in a first direction and opposed two second edges extending in a second direction along the pair of cleavage surfaces, wherein the two second edges come in contact with the pair of cleavage surfaces each electrode pattern piece including a series of markers having a periodical pattern formed at one or both of the first edges, a minimum unit of the periodical pattern having an overall length in the resonator-length direction equal to L/n and not greater than a resonator length, wherein L is the resonator length and n is a positive real number not smaller than one, the first direction being a direction along the resonator length, wherein the markers can be used to form laser chips of different resonator

lengths.”

In the Office Action, the Examiner argues that Goto discloses a semiconductor laser device comprising the elements of original claim 5. As amended, however, claim 5 recites an electrode pattern piece including a series of markers having a periodical pattern formed at an edge specifically such that “the markers can be used to form laser chips of different resonator length.”

Nowhere does Goto disclose or suggest a semiconductor laser device including such markers or even forming semiconductor laser devices of different resonator length. With respect to original claim 8, the Examiner argues that a marker disclosed by Goto has a fixed pitch. To support this argument, the Examiner cites to “pg. 20, lines 18-20.” Assuming this indicates column 20, lines 18-20, Applicant respectfully asserts that this portion of the specification refers only to distinguishing “forward and backward directions of the device,” and does not discuss pitch or periodicity of any markers or forming semiconductor laser devices of different resonator length.

Because Goto does not disclose or suggest markers that can be used to form laser chips of different resonator length, Goto cannot anticipate amended claim 5 and Applicant respectfully requests withdrawal of this rejection.

Rejections under 35 U.S.C. §103

Claims 1-4 and 10 are rejected as allegedly being unpatentable over Goto in view of Ohbuchi (US 6611542).

With this communication, Applicant has canceled claims 2-4. Additionally, Applicant has amended claim 1 to recite a method for manufacturing a semiconductor laser device comprising at least forming electrode patterns arranged in a plurality of rows extending in a first direction on an upper surface of a semiconductor wafer . . . the electrode patterns having opposed two edges extending in the first direction; cutting the resultant semiconductor wafer to yield a plurality of semiconductor bars; and sectioning the semiconductor bars in desired sizes to form semiconductor laser devices. . . .”

Ohbuchi discloses a “semiconductor laser element and method of producing the same” (Ohbuchi, Title) in which includes “light emitting point alignment marks.” (Ohbuchi, Title, abstract.) However, nowhere does Ohbuchi disclose “sectioning . . . semiconductor bars in desired sizes to form semiconductor laser devices.” As shown in Figure 2E, for example, of Ohbuchi, electrode patterns 16 are not continuous. Thus, it appears that a laser bar 30 could not be formed into laser devices of any “desired size,” as required by amended claim 1.

Further, as discussed above with respect to amended claim 5, Goto only discloses forming electrodes in a semiconductor device so that “forward and backward directions of the device” may be distinguished. Goto does not teach or suggest “sectioning semiconductor bars in desired sizes to form semiconductor laser devices,” as recited by amended claim 1. Because neither Ohbuchi nor Goto disclose this element, claim 1 cannot be rendered obvious by either reference or any hypothetical combination thereof. Accordingly, Applicant respectfully requests withdrawal of this rejection.

Claim 10 has been amended to depend from amended claim 5 and new claims 14 and 15 depend from claim 5. As discussed above, it is believed that amended claim 5 is patentable over the cited references. Thus, it is believed that amended claim 10 and new claims 14 and 15 are also allowable over the cited references.

New claims 11-13 each depend from amended claim 1. Accordingly, it is believed that for at least the reasons discussed above with respect to amended claim 1, new claims 11-13 are allowable over the cited references.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 259052003300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 7, 2005

Respectfully submitted,

By 

Douglas G. Hodder

Registration No.: 41,840

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304-1018

(650) 813-4203